

REMARKS

Claims 1-19 are pending. Claim 1 has been amended. No new matter has been added.

Claims 1-19 are rejected. Claims 1-19 are rejected under 35 U.S.C. § 101 because the claimed subject matter is directed to non-statutory subject matter. Claims 1-2, 6-7, and 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,023,510 to Epstein (“Epstein”) and further in view of U.S. Patent Publication No. 2003/0069803 to Pollitt (“Pollitt”). Claims 3-5, 8, and 15-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Epstein and Pollitt, and further in view of Admission.

Rejection of Claims 1-19 under 35 U.S.C. § 101

Claims 1-19 are rejected under 35 U.S.C. § 101 because the claimed subject matter is directed to non-statutory subject matter. Independent claim 1 has been amended accordingly. Exemplary support for these amendments can be found in Figure 1 of the originally-filed application. Therefore, it is respectfully requested that the rejection of claims 1-19 under 35 U.S.C. § 101 be withdrawn.

Rejection of Claims 1-2, 6-7, and 9-14 under 35 U.S.C. § 103(a)

Claims 1-2, 6-7, and 9-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Epstein and further in view of Pollitt.

Epstein and Pollitt fail to teach each and every element of claim 1. More specifically, Epstein and Pollitt fail to teach “authenticating, by a server, the first party,” as recited in claim 1. On page 4 of the Office Action, the Examiner asserts that Epstein teaches this element in col. 5, lines 27-35. Epstein recites that an information provided posts responses with associated identifying information (a generated random number) and the user then retrieves and downloads the posted response associated with that user’s particular identifying information (the user’s generated random number). *See* col. 5, lines 27-35. However, by requiring the user to enter a random number, Epstein is merely recalling a posted response associated with that random number. Epstein does not use the random number in any way to authenticate the user. In Epstein’s system, any party can enter the random number to retrieve and download the posted response. Epstein uses the identifying information to determine which posted response to retrieve and download. But Epstein provides no teaching that the identifying information can be

used in any way to authenticate the particular user. Pollitt, which is not asserted by the Examiner for this element, fails to cure the deficiencies of Epstein.

Further, Epstein and Pollitt fail to teach “permitting, by a server, the first party to securely access the response from the second party, wherein the first party cannot access the stored response until the first party is authenticated via the notification to the first party,” as recited in claim 1. Claim 1 recites that the second party submits a response to the first party’s first submission. Epstein and Pollitt fail to teach that the first party is permitted to securely access a response by the second party to the first party’s first submission. In Pollitt, a user can log on to a web site to request content from a storage system. *See* Para. [0193]. Pollitt’s system then queries the database to locate relevant content. Para. [0195]. So Pollitt is deficient in at least two respects. First, Pollitt does not teach a “second party.” Because the user is communicating with a computer, there is no “second party” in Pollitt. Second, Pollitt requires that the user log on to a web site before requesting content. So the user logs on, makes a request, and the content is provided. In contrast, claim 1 recites that the first party must be authenticated before accessing the stored response. But in Pollitt, the response is generated after the user logs on, so the user is not being authenticated to access the stored response. On page 4 of the Office Action, the Examiner recognizes that Epstein fails to disclose this feature.

Therefore, Epstein and Pollitt fail to teach each and every element of claim 1. Because claim 1 is believed to be allowable, claims 2, 6-7, and 9-14 are also believed to be allowable as they depend on claim 1. Accordingly, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 1-2, 6-7, and 9-14.

Rejection of Claims 3-5, 8, and 15-19 under 35 U.S.C. § 103(a)

Claims 3-5, 8, and 15-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Epstein and Pollitt and further in view of Admission. This rejection is respectfully traversed. For at least the reasons set forth above with respect to claim 1, Epstein and Pollitt do not establish a *prima facie* case of obviousness with respect to claims 3-5, 8, and 15-19 because Epstein and Pollitt fail to teach each and every element of independent claim 1. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 3-5, 8, and 15-19.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filling of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 110980.

Respectfully submitted,

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